



July 2003

**AN OPEN LETTER TO OUR
MEMBERS ABOUT THE
DEPARTMENT OF HOMELAND SECURITY**

The Department of Homeland Security opened its doors on January 24th and most agencies with border related duties became part of the department on March 1. Throughout Congressional debate over the creation of this new department, AFGE and NTEU fought shoulder to shoulder against efforts on the Hill to take away statutory civil service and collective bargaining protections for unionized employees transferred to the Department of Homeland Security. Since the legislation passed, there has been a great deal of activity dealing with the formation of the Department and there is far more to come. However, we did not want to wait any longer before we shared with you what we know and what we plan to do.

There are some things about this reorganization of which we are certain. NTEU and AFGE have been working together for some time and are committed to doing everything possible to enable employees to retain their current working conditions. As a matter of law, all current contracts remain in effect after the start up of the new organization, as do all other conditions of employment. All past practices continue until new practices are negotiated, and all employees remain members of the same bargaining units and unions until it is otherwise determined. As always, we will challenge violations of our negotiated agreements when management does not comply with them.

Neither AFGE nor NTEU intends to initiate any action to change the unit structure from what it is today. If management should initiate any action to change bargaining unit lines, we intend to respond jointly to their initiative. Our interest is in continuing to represent the employees we serve today. **The bottom line is that our unions and our members have fought too hard and too long for what we have achieved to date and we do not want it abolished as a mere accident of this reorganization.** Neither of us wants to use our resources to fight one another. If we are forced into a position that would normally pit us against one another, we have agreed to explore innovative ways to make it work so that the membership of both our unions remain strong and active.

There also have been rumors that the President could take away our bargaining rights with an executive order. The President has had the right to do that for years and the current DHS statute does not change that. The Administration has consistently pledged that it has no interest in eliminating the collective bargaining rights of DHS employees,

AFGE • 80 F Street, N.W. • Washington, D.C. 20001 • (202) 737-8700 • www.afge.org
NTEU • 1750 H Street, N.W. • Washington, D.C. 20006 • (202) 572-5500 • www.nteu.org



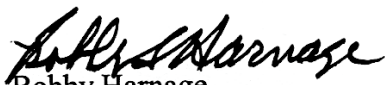
and we intend to make sure their word is honored. NTEU and AFGE are committed to working jointly to continue your right to be members of our unions and use the many representational services we provide **that cannot be taken away by any executive order**. Under no circumstances can the President stop you from being a union member. We are committed to doing everything we can to continue to represent you at the bargaining table, before Congress, agencies, and in the courts. In no case are we going to walk away from our members.


DHS and OPM have set up a very detailed joint process with AFGE and NTEU for designing personnel management systems that include pay, classification, appeals, collective bargaining, and labor relations provisions. The process includes a joint labor-management core group of technical experts that are working full-time until September on compiling best practices and will develop options for DHS Secretary Tom Ridge and OPM Director Kay Coles James. Before any options are forwarded to the Secretary and the Director, they are submitted to a Senior Review Committee upon which both of us sit, as the National Presidents of our unions. We will be closely scrutinizing and vigorously opposing any potential change in your current work policies and practices that are not employee friendly and not supportive of the DHS mission and the work you do every day.

The "design" team, including NTEU and AFGE representatives, has presided over a series of employee town hall meetings and focus groups in El Paso, Atlanta, Miami, Norfolk, New York City, Detroit, Seattle, Los Angeles, and Baltimore/Washington. Employees, many of whom were selected by us, educated senior DHS officials about the issues that most concern them such as pay, career opportunities, working conditions, the tools needed to be successful, and the barriers confronting employees who are attempting to secure our great nation.

We expect that by the end of the year the design and review process will be completed, and the Secretary will propose new human resource management systems. He must issue regulations and provide advance copies to the unions and to Congress. As we learn more about the organization of the DHS, we will pass it on to you. We understand that there are many rumors out there about what could happen. The fact is that no matter what happens we will continue working for you in Congress, in the courts, with the media, and before many administrative agencies. Moreover, unless the President signs an executive order, you will have your bargaining units, your contracts, and your current working conditions until new agreements are reached with your union.

We look forward to our members forming the backbone of the Department and continuing their role of protecting the American public. We will work tirelessly to urge the President and Secretary Ridge to recognize and reward the vital contributions you make and which you have made for hundreds of years.


Bobby Harnage
AFGE National President


Colleen M. Kelley
NTEU National President